

**MEETING MINUTES Benton County
Planning Commission
January 3, 2023**

Benton County Planning Commission Chair Nicholas Fowler called the meeting to order at 7:03 p.m. The meeting was open to the public in-person and virtually via GoTo Webinar.

COMMISSION MEMBERS

Present

Nicholas Fowler, Chair
Evelyn Lee
Sean Scorvo
Elizabeth Irish
Andrew Struthers
Catherine Biscoe
John Greydanus
Greg Hamann
Eddy Provost

STAFF

Present

Darren Nichols, Director
Greg Verret, Deputy Director
Inga Williams, Associate Planner
Linda Ray, Recorder
Gordon Kurtz, Assoc. Engineer, Public Works
Shea Steingass, Environmental Programs
Coordinator, Public Works
James Wright, Associate Planner

ELECTION OF OFFICERS

Commissioner Lee **NOMINTATED** Commissioner Fowler as Chair of the Planning Commission. **SECONDED** by Commissioner Struthers, the vote was **8-0 in favor**. Commissioner Fowler abstained. Nicholas Fowler will continue as Chair of the Planning Commission.

Commissioner Lee **NOMINATED** Greg Hamann as Vice Chair of the Planning Commission. **SECONDED** by Commissioner Struthers, the vote was **8-0 in favor**, Commissioner Hamann abstained. Greg Hamann is now Vice Chair of the Planning Commission.

APPROVAL OF MINUTES

Commissioner Struthers **MOVED** to approve the minutes for October 11, 2022, October 18, 2022, November 15, 2022, and December 6, 2022. The **MOTION** was seconded by Commissioner Irish, the **MOTION passed 8-0**, Commissioner Biscoe abstained.

PUBLIC HEARING; LU-22-047; FOSTER Conditional Use Permit (CUP)

Williams discussed the staff report with a presentation that highlighted the review criteria, testimony in response to the notice of application, and conditions of preliminary approval

PLANNING COMMISSION Q&A:

- The applicant must meet requirements set by the Department of State Lands and obtain a permit through that agency to proceed with an expansion of the quarry.
- There was concern about the early morning time frame allowed for blasting as a part of the operation and potential noise disturbance it would cause to neighbors. Planner

Williams noted that a condition could be added to clarify that operating hours could start at 7:00am, but the blasting would not begin until after 9:00 am.

- One Commissioner requested a clearer image of the map that would outline the property and area of expansion. The candidate will supply a higher quality map for the commissioners to review.
- The applicant would need to get a permit from the Oregon Water Division to ensure that there would not be any impacts to the ponds on the property from the mining operation.
- Planner Williams confirmed that she relied upon information from the property owners stating that there is no future plan to increase the rate of rock removed from the quarry.
- If the Planning Commission approves the application, the applicant will have two years to complete the preliminary conditions and then they can expand the quarry (upon approval from the state).
- The Oregon Department of Geology and Mineral Resources (DOGAMI) will ensure that the property owners are in compliance with stormwater regulations and permits are required by Benton County and Oregon DEQ.
- The conditions of approval are applicable only to the intended expansion area.
- The property owner is required to pass an initial County inspection and if they fail, they will have one month to correct any failures. If they do not pass after that month, the land use approval may be void.
- DEQ wetlands and endangered species requirements must be met. The state will not proceed with permits unless the application is first approved by the county.

APPLICANT TESTIMONY

George Foster, owner and operator of the quarry, presented first. His intent is to “chase a good seam of rock” and to get the most benefit from the quarry which results in the need for expansion. Mr. Foster clarified that “blasting hours” at the quarry do not typically take place until late in the day due to the process of set up in the morning that can take hours for preparation. Mr. Foster stated that the stream mentioned on the map of the property is not active and the location is half a mile from the quarry site.

Mr. Foster also referenced a State of Oregon Department of Geology and Mineral Industries (DOGAMI) report that failed to meet the initial inspection. The previous property owner left debris and equipment on the property and the new owners (George & Tracy Foster) were in the process of cleaning the site when the inspection occurred. Since that inspection, the area has been completely cleaned up. Mr. Foster then referred to another previous inspection report that noted an oil leak on the property. Mr. Foster explained that the leak was due to a third-party dump truck that was frequenting the quarry. It was an isolated event and, upon clean up, they have not had any incidents since that time.

PUBLIC TESTIMONY

No members of the public testified on the application.

PLANNING COMMISSION DISCUSSION WITH THE APPLICANT:

- The applicant offered to provide additional information on water records and stormwater permit reports with the commissioners.
- The applicant had an updated map of the area that provided more specifics. **(Exhibit A)**.
- In the case of future transfer of ownership, any approved permits (such as this CUP), will apply to the new property owner.

Commissioner Hamann **MOVED** to hold the record open for seven days to allow for additional written testimony by the applicant. The **MOTION** was seconded by Commissioner Biscoe. The Commission voted **9-0 in favor** to hold the record open. The Planning Commission deliberation on LU-22-047 Conditional Use Permit (Foster Quarry Expansion) will be held on Tuesday, January 17th.

The public hearing closed at 8:44pm.

PUBLIC HEARING: LEGISLATIVE CHANGES RE: COUNTY STORMWATER CODE

The public hearing for LU-22-054 began at 9:00 pm. Deputy Director Verret shared a presentation for the Stormwater Management Development Code Amendments (Implementing Regulatory Changes for Water Quality).

PUBLIC TESTIMONY

Barb Hartz (405 Glenmark Drive, Philomath) stated that the upcoming change in stormwater permits impacts housing. Hartz suggested the county assemble an advisory council to help with the impending changes. Hartz emphasized the importance of protecting water and acknowledged that due to limited staff, the county may have a hard time enforcing stormwater permits and violations. Hartz also urged the commissioners to consider the housing needs and existing housing costs and how implementing more cost through an additional permit puts a burden on property owners. She urged the County to allow for a subjective evaluation of property to show fairness among property owners.

PLANNING COMMISSION DISCUSSION

Commissioners raised several concerns about the upcoming code changes:

- Encouraging property owners to plan ahead to minimize the amount of impervious surface.
- Increased housing costs and burden on owners to comply with more regulations and the cost of compliance enforcement.
- Higher density areas with multi-dwelling units will require more efforts and additional costs.

- Post-construction monitoring will likely create a substantial administrative burden.
- The importance of providing additional supporting documentation to assist property owners with ways to reduce cost and meet requirements.
- Suggestion to provide some flexible “common sense solutions” that would take some of the burden off of developers/homeowners; consider sending draft language to BOC.

Commissioner Irish **MOVED** to recommend to the Benton County Board of Commissioners to approve the county code amendments relating to stormwater as proposed and to direct staff to continue their work on supporting documents or code changes that would reduce the burden on developers and property owners while achieving the goal of clean water. The **MOTION** was seconded by Commissioner Struthers. The **MOTION passed 8-0**, Commissioner Provost was absent at the time of voting.

VOTE:

Commissioner Irish – Yes

Commissioner Lee – Yes

Commissioner Scorvo – Yes

Commissioner Hamann – Yes

Commissioner Struthers – Yes

Commissioner Biscoe - Yes

Commissioner Greydanus – Yes

Commissioner Fowler – Yes

Commissioner Provost - Abstain

Record closed 10:32pm

ITEMS FROM THE PLANNING STAFF

Director Nichols expressed gratitude to Commissioners Christina White and Vice Chair Jennifer Gervais for their commitment and service to the Planning Commission. Both members have recently transitioned off the commission.

The Community Development Department is hosting a Planning Commission Orientation tentatively scheduled January 12th for all new and existing members that would like to participate.

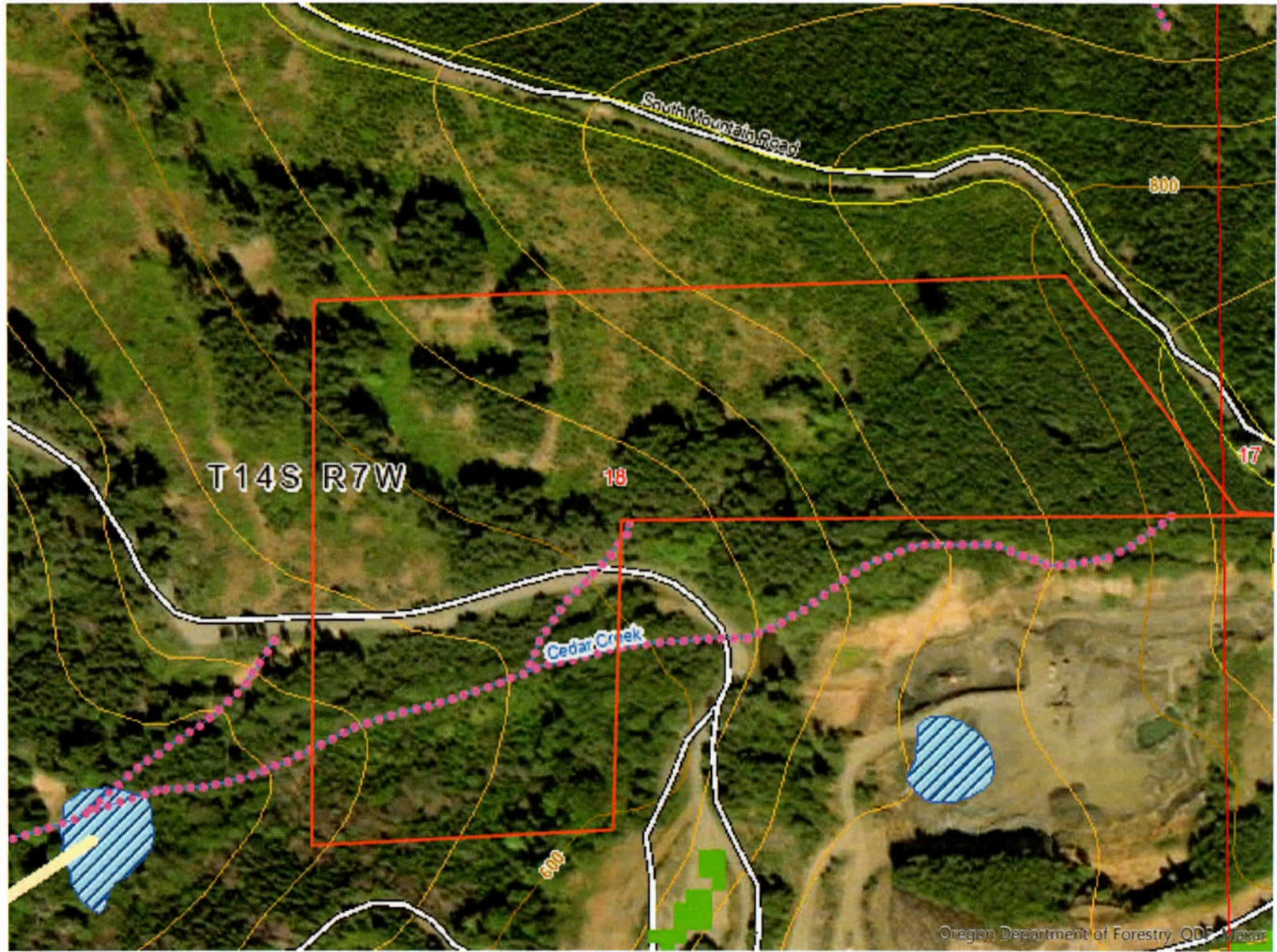
The Benton County Talks Trash (BCTT) Work Group is scheduled to provide a draft final report to the Planning Commission on January 24th. Commissioners will need to provide feedback to the Work Group by February 10th.

Director Nichols asked the Planning Commission to fill one vacancy on the BCTT through the end of March. Commissioner Struthers volunteered to represent the Planning Commission on the work group.

UPCOMING AGENDA ITEMS:

Next Planning Commission Meeting: January 17th

Exhibit A



MEETING MINUTES
Benton County Planning Commission
February 7, 2023

The Benton County Planning Commission Chair Fowler called the meeting to order at 7:00 pm.

The meeting was open to the public in-person and virtually via Zoom.

COMMISSION MEMBERS

Nicholas Fowler, *Chair*
Greg Hamann, *Vice Chair*
Catherine Biscoe
John Greydanus
Elizabeth Irish
Evelyn Lee
Eddy Provost
Andrew Struthers

STAFF

Darren Nichols, *Director*
Greg Verret, *Deputy Director*
Inga Williams, *Associate Planner*
Linda Ray, *Recorder*
Daniel Redick, *Solid Waste/Water
Quality Coordinator*
Shannon Bush, *Program Coordinator*

Guest: Sam Imperati

ANNOUNCEMENT

Chair Fowler began the meeting by stating that Commissioner Scorvo has resigned from the Planning Commission.

BENTON COUNTY TALKS TRASH Work Group Draft Report #3 (continued)

Mr. Sam Imperati (BCTT Facilitator) continued his presentation of the work group draft report beginning on page 64 “Community Education & Public Involvement.” This subcommittee researched the history of the Coffin Butte landfill and worked towards creating best practices on encouraging community engagement.

Each work group meeting and both open houses were summarized in this section of the report. The goal of the overall BCTT final report is for the reader to have a thorough overview of the process, events and work done by the BCTT along with recommendations to the BOC on steps forward.

Commission discussion and feedback on the full BCTT work group draft report. Planning Commissioners offered the following suggestions and feedback:

- Expressed gratitude for the information provided in the report on the historic relationship between Coffin Butte and the community.
- Encouraged County staff to use the JSIP as a model of best practices when engaging with the community on the Solid Waste Materials Management Plan (SMMP).

- Suggested the County to reach out to neighboring counties that use the landfill for feedback on the SMMP.
- Suggested considering the trucking and travel routes that will be impacted by the SMMP and that those routes should be incorporated into the communication strategy.
- Suggested the County effectively communicate the County's method in monitoring the landfill operator's compliance and a suggested adding the compliance component to the conditions of approval.

A commissioner asked what the role is for the Planning Commission going forward in regard to the final BCTT report.

Check with Commissioners on the BCTT and their subgroups

Commissioner Irish stated that despite media and negative attention the workgroup has received, she feels the workgroup has been a success.

Commissioner Biscoe stated that once the BCTT report is finalized, it will be a helpful historical document moving forward. She served on the committee that reviewed past CUPs for the landfill and learned a lot about land use issues and the approval process.

Commissioner Struthers recently joined the BCTT as a Planning Commission representative and has only attended a few hours of the work group meeting. He had nothing to add at this time.

Confirm form of Planning Commission feedback/input

After discussion, the commissioners chose not to send in a formal letter of feedback to the BOC on the Draft 3 report, but instead to let the discussion serve as feedback and input into Draft 4.

Discussion of opportunity for later draft reviews

Director Nichols met with the Board of Commissioners this morning and shared the Planning Commissioners' concerns about future engagement after the BCTT work group finalizes the report. Nichols encouraged the commissioners to give feedback that he in turn can relay to the BOC. He stated that once the SMMP is completed, the work can be guided by the commission and there will be variables on how that engagement can happen. There may also be overlapping topics that can bring the Planning Commission and Solid Waste Advisory Council together for discussion and agreement on recommendations to the BOC.

Nichols stated that if the BOC accepts the BCTT final report, then the Planning Commission may have opportunity to engage with the BOC and SWAC on landfill issues and how to best implement protocols. The BCTT workgroup has two more meetings along with several subcommittee meetings before the report can be finalized and presented to the BOC. He encouraged the Planning Commissioners to be ready to engage with the BOC once the report is complete.

Mr. Imperati noted that there is not a provision for the BCTT to bring a report back to the planning commission for final review. The completed final draft is expected to be published on March 13th. Chair Fowler emphasized that the Planning Commission does not want to delay the process and since they do not have recommendations at this time, they will wait on the BOC if

there is a need for further engagement on this project. The commissioners agreed to be available to the BOC if further discussion is needed.

OVERVIEW: Ten-year Strategic Plan and 2023-25 Budget Proposal

Nichols and Shannon Bush introduced a working draft of the Community Development Ten-Year Strategic Plan. Staff feels that this plan is an opportunity to reflect on current strategies and the hope for improvement in the department.

The plan is in draft form and staff will seek input from a multitude of stakeholders, including the Community Development Roundtable. Nichols stated that this plan has been shared with the County Administrator and received encouragement and support in going forward with implementation.

The planning commissioners gave initial feedback on the strategic plan, including:

- Encouragement that these are ambitious goals and milestones and acknowledgement that 13 out of the 20 goals are planned for the 2023-25 biennium.
- A commissioner noted the number of positions that are anticipated for the department staff being a significant increase. Director Nichols will cover the plan for implementing those position in the budget conversation to follow.
- A commissioner asked if other county departments were using a similar model. Staff is not aware of other plans or strategies.
- Clarification that the department's revenues are based on the housing market which is in flux due to rising interest rates.

Budget Package Discussion

Nichols shared that the goal of the budget packet is threefold:

- Stabilize Departmental Operations
- Implement a countywide "development services" model
- Address long range planning needs.

Nichols shared next steps which includes:

- restoring the front desk receptionist position
- establishing a true Building Official position
- restoring a full-time Deputy Director of Operations
- restoring a full-time Planning Manager
- invest in stormwater protection and implementation
- implement community outreach and a public information program

Staff will bring the 2023-25 budget back to the Planning Commission once it has been approved.

ITEMS FROM THE PLANNING COMMISSION

There were no items from the Planning Commissioners

ITEMS FROM THE PLANNING STAFF

- Nichols had a recent visit with City of Monroe Manager, Steve Martinenko. Mr. Martinenko extended an invitation to the Planning Commissioners to hold a future meeting in Monroe.

- Commissioner Scorvo has stepped down from his position as Planning Commissioner. Director Nichols expressed gratitude for Commissioner Scorvo's service. The Board of Commissioners have a member in mind to fill the empty seat and will announce their choice on February 21st.
- Nichols shared information on an upcoming event of the Oregon Chapter of American Planning Association – a two-day conference hosted at the Benton County Kalapuya building March 22nd & 23rd. The Wednesday event will be geared towards Planning Commissioners and Nichols encouraged the Planning Commissioners to attend.
- The Benton County Talks Trash draft report will be translated into Spanish.
- There will be an open house on February 27th for BCTT

I. UPCOMING AGENDA ITEMS

None

The meeting adjourned at 9:19 pm

MEETING MINUTES
Benton County Planning Commission
March 21, 2023

The Benton County Planning Commission chair Nicholas Fowler called the meeting to order at 7:00 p.m. The meeting took place in-person and virtually via Zoom and was open to members of the public.

COMMISSION MEMBERS PRESENT

Nicholas Fowler, Chair
Greg Hamann, Vice Chair
Catherine Biscoe
Evelyn Lee
John Greydanus
Andrew Struthers
Ed Fulford
Liz Irish
Ed Provost

STAFF PRESENT:

Darren Nichols, Director
Inga Williams, Associate Planner
Linda Ray, Recorder
Gordon Kurtz, Associate Engineer

PRESENTATION BY COUNTY STAFF:

Inga Williams presented the findings supporting approval with conditions for the application request for a preliminary plat subdivision. (LU-23-003; Scofield, Stone & Swagerty; Subdivision.) Four new lots are proposed for the property and no infrastructure is required. Each new lot would have frontage on Coon Road. There are a few septic conditions. Existing wells on each property have already met the standards in county code.

QUESTIONS AND FEEDBACK OF THE PLANNING COMMISSIONERS

- Condition of approval 7e: The code criteria applied to this referral easement established on a Public Works condition. Gordon Kurtz, Associate engineer explained that the applicant has been asked to provide a site distance analysis for an approach on Koon Road. There is a slope that needs shaped down to create the necessary safe slope. An easement was established so that once the site is developed, the property owner can adjust the slope to meet the criteria.
- The preliminary map should include contours per county code.
- Road improvements will be required with any future subdivision establishment.
- The applicants have not inquired about further subdividing the parcels of land. If any parcels are further divided, applicants would need to apply for a separate land use action, which would involve the same analysis.

- A commissioner expressed concerns about potential annexation of the parcels and potential need for water/sewer from the City of Monroe. No proposals have been made at this time.
- Clarification of wording change in the staff report on page 11; Storm water management: change wording in the sentence to “the new code **will not be** effective...”, not “**will be**” effective...

APPLICANT PRESENTATION

Levi Warner, civil engineer representing the applicant, PO Box 516, Stayton, Oregon. Mr. Warner represented the applicants. He clarified that the wells on the property are operable and confirmed that the septic system on each lot has passed approval.

PUBLIC TESTIMONY

Rita Frost, 26426 Coon Road Monroe. Ms. Frost is a recent resident of Monroe. She expressed concern about how a potential subdivision and drilling of new wells could impact the water on her property. She inquired about the need for a hydrology test on the surrounding properties. Commissioners confirmed that well tests were completed, and a hydrology test was provided as part of the hearing packet.

PLANNING COMMISSION DISCUSSION

All commissioners agreed to support the staff recommendation to approve the application as it appears to be a straight-forward, preliminary plat division.

MOTION

Commissioner Irish **MOVED** to approve the request for preliminary plat division be approved based on the evidence and findings contained in the staff report and subject to conditions of approval. Commissioner Struthers **SECONDED** the motion.

No further deliberations on the **MOTION**, the vote was as follows:

- Commissioner Fowler – Yes
- Commissioner Irish – Yes
- Commissioner Hamann – Yes
- Commissioner Greydanus – Yes
- Commissioner Fulford - Yes
- Commissioner Provost - Yes
- Commissioner Struthers - Yes
- Commissioner Biscoe – Yes

The **MOTION PASSED** unanimously.

APPROVAL OF MINUTES – January 31, 2023 & February 7, 2023

Commissioner Struthers **MOVED** to approve the January 31, 2023 & February 7, 2023 minutes. Commissioner Hamann **SECONDED** the motion. The **MOTION** was approved unanimously.

ITEMS FROM PLANNING STAFF – UPDATES

Darren Nichols gave an update on a few items:

- Benton County Talks Trash. A community post card has been sent out to invite the public to comment on the findings compiled by the BCTT work group. The public and workgroup member comments will be compiled into the BCTT report which will be released on April 3, 2023. A community open house will follow to allow the public to meet with the workgroup to ask questions and discuss findings. The report will also be presented to the Board of Commissioners (BOC) in early June, and they will have an opportunity to respond with their direction to county staff, the Solid Waste Advisory Council (SWAC) and other interested parties. Per the BOC request, Nichols advised the planning commission members to abstain from discussing the report with any members of the public at this time. The BOC will meet with the planning commission at a future meeting to discuss their role in the BCTT report and next steps.
- Appeal on a planning commission decision for LU-22-023; Jordan/Crosby; Request for farm help dwelling for a relative. Staff denied the application per the county code. A planning commission hearing followed, and the commissioners agreed with staff to deny the application. Nichols explained that the applicants had appealed the Planning Commission's decision to the Board of Commissioners based in part on a recent court case interpreting state law. The BOC overturned the Planning Commission decision on appeal and requested that staff update Benton Count Code so that standards are clear and unambiguous.
- The county code is overdue for an update and county staff is discussing the option to bring in an outside consultant to help with a code update project.
- Appeal on a planning commission decision for LU-22-047; Foster; CUP; quarry expansion. The application was approved by staff and the planning commission. The applicant is appealing specific conditions of approval. The applicant contends that county map showing the location of the stream on the property is inaccurate. Staff made a site visit to the property and observed the true location of the stream and existing water quality protections. This resulted in revised conditions of approval that were accepted by the applicant. The Board of Commissioners approved the revised conditions of approval which maintained the stream buffers in the correct location on the property.
- Community Development's 2023-2025 budget hearing is in April. Nichols invited the commissioners to attend.

UPCOMING AGENDA ITEMS

The commissioners briefly discussed potential dates to take future planning commission meetings out into the county communities in a series of "listening sessions" to gain feedback and understand the needs in Benton County communities. Further discussion will confirm dates and locations for these listening sessions. Local officials (city administrators, elected officials, and planning commission members) will be invited to these listening sessions.

The meeting adjourned at 9:10 pm.

MEETING MINUTES
Benton County Planning Commission
July 18, 2023

The Benton County Planning Commission Chair Fowler called the meeting to order at 7:00 pm. The meeting was open to the public in-person and virtually via Zoom.

COMMISSION MEMBERS

Nicholas Fowler, *Chair*
Greg Hamann, *Vice Chair*
Catherine Biscoe
Elizabeth Irish
Andrew Struthers
Evelyn Lee

STAFF

Darren Nichols, *Director*
Patrick Depa, *Small Cities Planner*
Inga Williams, *Associate Planner*
Linda Ray, *Recorder*
Shannon Bush, *Interim Deputy
Director*

Excused: Ed Fulford

MINUTES

Commissioner Hamann **MOVED** to **APPROVE** the Minutes with the following edits:

- Meeting logistics needs to include the virtual meeting option.
- Page 1 correction – Koon Road should read “Coon” Road.

Commissioner Struthers seconded the **MOTION**. **MOTION** was **APPROVED** as amended 6-0.

PUBLIC HEARING LU-23-029; LEGISLATIVE AMENDMENT TO ADAIR VILLAGE UGB

Planner Pat Depa gave an update on a recent approval by the Planning Commission and Board of Commissioners for an amendment to the Adair Village Urban Growth Boundary (UGB). Hearings took place last December to adopt an additional 55 acres into the UGB. Through the process, a small section of land owned by Oregon Department of Fish & Wildlife was inadvertently left out of the proposal, which requires a second legislative process with the County Planning Commission and Board of Commissioners, as well as the City of Adair Village. Planner Depa explained there are no additional changes to the amendment, but the boundary needs to be adjusted to include the land that was inadvertently left off the UGB map.

The public hearing closed at 7:16.

DELIBERATION

Commissioner Struthers **MOVED** to **RECOMMEND APPROVAL** to the Benton County Board of Commissioners the Comprehensive Plan/ Zoning Map Amendment proposed in legislative file number PC23-04, and LU-23-029 with the following specifications:

- Inclusion of 0.12 acres within the UGB and a zone change from EFU to UR-50.

Commissioner Hamann seconded the MOTION. **MOTION** was **APPROVED** 6-0.

PUBLIC HEARING; LU-23-020; CUP IN EFU; OREGON STATE UNIVERSITY/BENTON COUNTY

EX PARTE CONTACT: Commissioner Struthers declared ex parte contact prior to the public hearing. Struthers is employed by Oregon State University but does not see any conflict with his participation in the public hearing and application for LU-23-020.

Inga Williams presented the staff report. A small roadway will be constructed on the OSU "Sheep Farm" property to help with an egress option in case of an emergency. The property is zoned Exclusive Farm Use. The proposed road will be used for emergency public evacuation and allow OSU staff to access the sheep farm. A new gate will be constructed on Ponderosa Avenue and will include a lock box with a key that the sheriff or police office will have access to in an emergency. There will be no impact to the existing use of the property which consists of sheep pasture and a barn. The road will be constructed with gravel and will not make any impacts to the area. No new traffic patterns will be involved, and the road can be used for two-way traffic. County staff recommends approval of the application with conditions.

QUESTIONS FROM THE PLANNING COMMISSIONERS

- A commissioner expressed concern about overlay zones and Fenders Blue Butterfly (FBB) protection. Williams stated that the survey is being conducted. Public Works staff later reported that the survey was completed, and they were awaiting results. Construction will not begin until survey results are complete and reviewed by a planner.
- A Fenders Blue Butterfly (FBB) mitigation bank is available to the property owners.
- Impacts will qualify for certificate of inclusion and there would only be an attempt to move lupine if nothing is left in the bank.

APPLICANT PRESENTATION

Ian McGuire, Benton County Engineer Associate gave a background of the area and proposed project. The area residents have been instrumental in encouraging this project due to the unique geography and limited emergency access points in the Oak Creek Valley. An evaluation was also conducted by the state. The project will include:

- 12" gravel over textile fabric
- Turnouts to allow for better flow of traffic.
- The road may require maintenance after use.
- The road (including turnouts) is designed to make a minimal footprint on the property.

Addressing a concern about any existing lupine plants on the property that could be impacted by the road development, staff explained that the plant itself is toxic to the sheep, so it is not in the best interest of OSU to have it on the property. As a result, lupine has likely been sprayed out or exists only on the perimeter of the property away from the proposed road construction. McGuire introduced Oregon State University representatives Bob Richardson and Selby Boerman.

Richardson stated that appropriate signage will be posted on the property informing the public that access is prohibited. Borman confirmed there is no observation of lupine on the property.

PUBLIC TESTIMONIES:

- Dick Powell, 81108 Oak Creek Drive, Corvallis. Mr. Powell is in favor of the evacuation route but expressed concerns about the substantial cost involved in the construction of the road. In his experience, the road could be constructed for a fraction of the cost.
- Anne Eissinger – 7445 NW Oak Creek Drive, Corvallis. Ms. Eissinger has been an active neighbor concerned about limited evacuation routes presently available to residents in the Oak Creek area. Ms. Eissinger presented an evacuation map (Exhibit A) to highlight the minimal egress options in the area available to their neighbors. She encouraged the commission to approve the application, noting that there will be minimal impact to the zone and its easy access for residents on Oak Creek Road and Ponderosa Road.
- John Taylor, 9030 NW Fir Ridge Place, Corvallis. Mr. Taylor is in support of the application and shared his concerns about the community members that frequent the area for recreation and the need for more options if those people are present in the event of an evacuation. He stated that the proposed road is the cleanest, shortest, easiest additional route.
- Heidi Hagler, 8873 NW Chapel Drive, Corvallis. Ms. Hagler is also part of the Oak Creek Valley Safety Action Group. She assisted in a neighborhood survey which provided information reflecting that 80% of the residents expressed that limited egress is their highest concern. Ms. Hagler is in support of the application and road construction.
- Robert Biscoe – Philomath. Mr. Biscoe is a member of the North F Road District and would like confirmation that the weight expectation for fire department vehicles will be met if an evacuation occurs.

APPLICANT’S REBUTTAL

McGuire stated that bids have already been received for this project and the contract is contingent upon approval from the Planning Commission. If approved, the road will be built this summer. McGuire explained that construction of the road will consist of a finer mix of rock and is designed to withstand a higher level of use due to the need for emergency use. It will be able to handle loads and weight associated with emergency vehicles. McGuire clarified that funds have already been attained from the state and restriction of those funds calls for them to be used for County rights-of-way.

The hearing closed at 8:28 pm.

DELIBERATIONS:

Commissioner Struthers MOVED to APPROVE the Conditional Use Permit with the following amendment to the conditions of approval stated in the staff report:

- Change the posted signage to read “Road closed to the public except for OSU personnel in the event of an emergency evacuation.”

The MOTION was SECONDED by Commissioner Biscoe. **MOTION APPROVED 6-0.**

WORK SESSION: “BENTON COUNTY TALKS TRASH” PLANNING COMMISSION LIASON SUMMARY

Two commissioners served as liaisons to the Benton County Talks Trash Workgroup (BCTT). Commissioner Biscoe served as a public member of the workgroup. Each member was given time to share feedback on the experience and key takeaways.

Commissioner Biscoe was part of the “Past Land Use Conditions” subcommittee. This group met to research the history of the Coffin Butte landfill, it’s pasts approvals and information on

compliance. She stated that this group also shared a crossover of information between other subcommittee workgroups. Commissioner Bisco prepared a report on the work of the BCTT past LU application conditions subcommittee providing the overview of the 33 unique findings and the 25 recommendations presented to the BCTT workgroup.

Feedback from planning commissioners:

- The county is hiring a new code compliance officer – will their role involve enforcement on landfill issues. Nichols stated that department staff will be discussing this position with the Board of Commissioners to get more feedback on how this position will serve the community and if that involves enforcement of issues at Coffin Butte landfill.
- A commissioner suggested comparing the BCTT report with the Benton County Development code and seek county counsel for guidance.
- A commissioner cautioned changing terms in the code that are ambiguous and how it could potentially affect other CUP applications that do not pertain to the landfill.
- A commissioner suggested looking at the recommendations and findings and focus on the clear and objective standards.
- A commissioner noted that the Sustainable Materials Management Plan (SMMP) that is in the developing stage and it will also impact the landfill.
- Nichols responded to the discussion about updating the county code emphasizing that it is overdue and a substantial work task. Chair Fowler suggested looking at other county codes (i.e. Wasco county) to get a perspective on how they made changes to their code. This could be a topic for a future work session.
- A commissioner expressed concern about the timing on updating the code and the potential for another conditional use permit application for the landfill.

Commissioner Irish served on the Legal subcommittee work group for BCTT. Those efforts were focused on the current rules and regulations for landfills. She gave an update on the work they accomplished and the work ahead for potential conditional use permit (CUP) applications for the landfill. Commissioner Irish noted the need to address the process of conditions on CUPs and the need for information to be clear and concise for potential applicants. She emphasized that looking back at the history of the landfill there is a great need to improve the process. A commissioner emphasized the need for county counsel to be present at the next discussion to help with legal questions that arise. Commissioner Irish encouraged other members to view the subcommittee recordings to get a better understanding of the work and recommendations.

Next Steps

- Suggestion to start the planning commission meetings earlier in the evening so they do not run so late.
- Request to staff for a copy of the minutes and recordings of the 2021 Coffin Butte Landfill CUP hearings.
- A Doodle poll will be sent out by staff to assist in scheduling future work session.
- Request an update and/or summary of the Sustainable Materials Management Plan.
- Planning commissioners were encouraged to send ideas and work session suggestions to Nichols to help with structuring the next agenda.
- A commissioner would like an update on the Community Advisory Committees (CAC), noting that several are inactive.

ITEMS FROM STAFF:

- The Board of Commissioners recently appointed a temporary committee to help refine the Request for Proposal (RFP) for the SMMP process. The RFP will be available on September 5th.
- Community Development is hiring five new positions. Nichols extended an invitation to the planning commissioners once the interview process begins for the Building Official, Planning Manager and Community Solutions positions.

ITEMS FROM PLANNING COMMISSIONERS:

- Commissioner Lee expressed interest in several important issues she would like discussed in a future meeting.
- Future listening sessions will be scheduled with Benton County communities, likely starting with Monroe. The planning commissioners will meet for a work session to discuss the scope and next steps on this endeavor.

The meeting adjourned at 10:02 pm.

EXHIBIT A

